

REMARKS

Pursuant to the Office Action for the above-identified case mailed November 24, 2003, Applicants submit this Amendment. In this case, Claims 1 to 26 were pending previously. Claims 1, 12 and 18 are being amended herein. Dependent Claims 27 to 32 are being added. No new matter is being introduced by way of the amendments or additions. A check in the amount of \$108.00 is submitted herewith to cover the cost of the additional dependent claims. Please charge Deposit Account No. 02-1818 for any additional fees owed.

In the Office Action, Claims 1 and 12 to 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,809,254 to Edsall ("*Edsall*"). Claims 2 to 11 and 19 to 22 were rejected under 35 U.S.C. § 103(a) as being obvious in view of *Edsall* and the disclosure in the Background of the application ("Background"). Claims 23 to 26 were allowed.

Regarding Claim 1, Applicants have taken under advisement the Patent Office's objection to the narrative form of the previously added language, "configured and arranged to be inserted together into a protective housing." The Office Action suggested the use of "means" language under § 112, ¶ 6, to remedy the objection. Applicants have instead through the present amendment linked the individual elements structurally to form an additional element, namely, a unit, which is positively claimed. Applicants believe that the present language of Claim 1 overcomes the objection and that the claim in its entirety should be given patentable weight.

Applicants respectfully submit that *Edsall* does not teach or suggest Claim 1 as presently presented. The *Edsall* device is different from Claim 1 in a number of respects. The *Edsall* device, for example, is different because it includes separate housings for the short circuit element and the current overload element. Claim 1 highlights that structural difference, namely, that the elements and indicators are coupled together as a unit that is inserted into a protective housing. Claim 1 also specifies that one of the end caps is connected electrically to the elements and indicators after the elements and indicators are placed inside the body.

The above-claimed blown fuse indicator is not taught or suggested by *Edsall*, which in Fig. 6 of that reference discloses indicators 40 and 41 that are separate from one another. Indeed, indicators 40 and 41 are disposed outside of the current limiting device A and overload device B, which represent schematically like devices illustrated in Figs. 1 and 4 of *Edsall*. Because devices A and B of *Edsall* are intended to be separate and replaceable with respect to one another, the elements and indicators of *Edsall* are not capable of being inserted together either into the housing of element A or the housing of element B.

As seen in Fig. 6 and the corresponding disclosure of *Edsall*, devices A and B are crimped to conductive ends 44 and 47 of cables 45 and 48, respectively, of *Edsall*. Conductive ends 44 and 47 would appear to be the analogous structures to the end caps of Claim 1. Because sleeve 49 has narrow axially outer portions at 50 and 51 of “relatively small cross-sectional area” (col. 5, lines 52, 53) that “fit fairly tightly or snugly upon cables 45 and 48, respectively” (col. 5, line 51), it would appear that devices A and B are both crimped to conductive cables 45 and 48 prior to being enclosed within sleeve 49, which encapsulates such conductive ends. That is, none of devices A and B and indicators 40 and 41 of *Edsall* appear to be arranged so as to be connected electrically to at least one end of the “end caps” 44 and 47 after being inserted into sleeve 49.

For at least the above-described reasons, Applicants respectfully submit that amended Claim 1 and Claims 2 to 11 that depend therefrom are each structurally different, patentably distinct and allowable over *Edsall*.

Applicants incorporate each of the arguments in any previous response made in opposition to the obviousness rejection of dependent Claims 3 to 11. Applicants again respectfully submit that Claims 3 to 11 provide additional patentable distinctions over *Edsall* and the Background.

Claim 12 is directed to a fuse and has been amended to include elements similar to elements added previously to allowed Claims 23 and 26. Applicants submit that Claim 12 and Claims 13 to 22 that depend from Claim 12 are currently allowable for the same reasons Claims 23 and 26 are allowable. It should be appreciated that the patentability of Claims 1 and 12 renders moot the separate obviousness rejections of Claims 2 to 11 and 19 to 22. The “at least portions of the indicators” language in Claim 1 and similar language in

Claim 12 allows for the external labels of Claims 8, 9, 21 and 22. The word "includes" prior to each of the external label recitations negates any inconsistencies with the respective independent claims as presently presented.

Added Claims 27 to 32 each depend from allowed Claims 23 or 26. Those added claims do not add new matter. Applicants accordingly submit that this case is therefore in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicants respectfully request that the Examiner contact the Applicants' attorney designated below.

Respectfully submitted,

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